

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

**B.P.J., by her next friend and mother,
HEATHER JACKSON,**

Plaintiff,

v.

**Civil Action No. 2:21-cv-00316
Honorable Joseph R. Goodwin, Judge**

**WEST VIRGINIA STATE BOARD OF EDUCATION,
HARRISON COUNTY BOARD OF EDUCATION,
WEST VIRGINIA SECONDARY SCHOOL
ACTIVITIES COMMISSION, W. CLAYTON BURCH
in his official capacity as State Superintendent, and
DORA STUTLER in her official capacity as
Harrison County Superintendent,
Defendants,**

And

**LAINIEY ARMISTEAD,
Defendant-Intervenor.**

**WEST VIRGINIA SECONDARY SCHOOL ACTIVITIES COMMISSION'S
MOTION IN LIMINE TO EXCLUDE REGIONAL PRINCIPALS' MEETING
POWERPOINT AND RECORDED PRESENTATION**

Now comes West Virginia Secondary School Activities Commission (WVSSAC), by counsel, Roberta F. Green, Kimberly M. Bandy, Shannon M. Rogers and Shuman McCuskey Slicer PLLC, and moves the Court, *in limine*, for an Order to exclude the video presentation and accompanying PowerPoint produced by WVSSAC. Based on Federal Rule of Evidence 401, 402, 403, 801, and 802, WVSSAC moves this Court for entry of an Order, excluding the PowerPoint and the accompanying video presentation produced in discovery as neither is relevant to the issues being tried in this case, indeed, neither has been substantively discovered in this case, such that

any use of them at trial would be speculative, and the resulting prejudice from their admission would outweigh any probative value they may have.

Wherefore, for all of the reasons set forth here and in the Memorandum in Support, WVSSAC requests an order *in limine* precluding use of the PowerPoint and recorded presentation at the trial herein.

**WEST VIRGINIA SECONDARY SCHOOL
ACTIVITIES COMMISSION,
By Counsel.**

/S/ Roberta F. Green

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CERTIFICATE OF SERVICE

I hereby certify that I, Roberta F. Green, have this day, the 22nd day of June, 2022, served a true and exact copy of the foregoing **“West Virginia Secondary School Activities Commission’s Motion in Limine to Exclude Regional Principals’ Meeting PowerPoint And Recorded Presentation”** with the Clerk of Court using the CM/ECF System, which will send notification of such filing to the following counsel of record:

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